

ENTERED

November 07, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA**vs.****YANNA GASSAWAY****aka YANNA NORRIS****aka CUMILLE GASSAWAY****aka CUMILE NORRIS****Defendant**

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NO. H-15-CR-301

PRELIMINARY ORDER OF FORFEITURE

On November 1, 2018, after a bench trial, Defendant Yanna Gassaway was found guilty beyond a reasonable doubt of Count One of the Indictment, which charged her with wire fraud in violation of Title 18, United States Code, Section 1343.

The United States provided notice to the Defendant in the Indictment that pursuant to Title 18, United States Code, Section 981(a)(1)(C), in the event of conviction, the United States would seek to forfeit all property which constitutes or is derived from fraud proceeds. The Indictment specifically listed the real property at 4333 Sublime Trail, Atlanta, Georgia as being subject to forfeiture.

The Court presided over the trial of the Defendant and heard the evidence. The United States has moved for a preliminary order of forfeiture against 4333

Sublime Trail, Atlanta, Georgia.

Based on the record and the evidence in this case, the Court finds that the Government has proven that 4333 Sublime Trail, Atlanta, Georgia, was purchased with the proceeds of the wire fraud described in Count One of the Indictment and is thus subject to forfeiture. Pursuant to FED.R.CRIM.P. 32.2(b)(1), the Court finds that the requisite nexus has been established between Defendant's criminal offense as charged in Count One of the Indictment and the property listed in this Preliminary Order of Forfeiture.

Having considered the United States' opposed motion, any response, the record, and the applicable law, the Court hereby ORDERS as follows:

1. It is ORDERED that the following property is forfeited to the United States:
4333 Sublime Trail, Atlanta, Georgia, together with all improvements, buildings, structures and appurtenances, legally described as follows:

All that tract or parcel of land lying and being in Land Lot 162 of the 9F District, Fulton County, Georgia, being Lot 219, Pittman Park Subdivision, Phase II, as per plat recorded in Plat Book 325, Pages 93-104 and revised plat recorded in Plat Book 326, Pages 3-14, Fulton County, Georgia Records, which plats are incorporated herein by reference and made a part of this description.


2. It is ORDERED that the United States shall publish notice of this Preliminary Order of Forfeiture and, to the extent practicable, shall provide written notice to any

person who reasonably appears to be a potential claimant with standing to claim an interest in the forfeited assets. Any person, other than the Defendant, asserting a legal interest in the property may, within thirty days of the final publication of notice or receipt of notice, whichever is earlier, petition the court for a hearing without a jury to adjudicate the validity of his/her alleged interest in the property, within such time and in the manner provided by Title 21, United States Code, Section 853(n).

3. It is ORDERED that the Clerk of the Court shall forward two certified copies of this Preliminary Order of Forfeiture to the United States Attorney's Office, Attention: Assistant United States Attorney Kristine E. Rollinson, 1000 Louisiana, Suite 2300, Houston, Texas 77002.

This preliminary order of forfeiture will become final as to the Defendant at sentencing and will be made part of the Defendant's sentence and included in the judgment against her.

Signed in Houston, Texas, on the 6th day of November 2018.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE